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C O N F I D E N T I A L BAKU 000789

SIPDIS

EUR FOR MATT BRYZA; DRL FOR DAVID KRAMER

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TAGS: [PGOV](#) [PINR](#) [PREL](#) [KDEM](#) [PHUM](#) [AJ](#)

SUBJECT: AMBASSADOR DISCUSSES VP VISIT, PRESSES  
PRESIDENTIAL APPARAT ON ELECTION, MEDIA ENVIRONMENT

REF: A. BAKU 764  
[B.](#) BAKU 771

Classified By: Charge d'Affaires Donald Lu, Reasons 1.4 (b,d)

¶1. (C) Summary: The Ambassador August 6 highlighted to Head of the Presidential Apparat Remiz Mehdiyev the historical significance of the Vice President's upcoming visit to Azerbaijan. The Ambassador also pressed Mehdiyev on free and fair presidential elections, including the need for international observers such as OSCE and ENEMO, and spelled out the concerns of Western observers about Azerbaijan's restrictive media environment. Mehdiyev, in turn, complained in great detail about the Helsinki Commission testimony of DRL A/S Kramer, defended Azerbaijan's treatment of journalists and called for greater U.S. support on Nagorno-Karabakh. End Summary.

¶2. (C) The Ambassador met August 6 in a two-hour marathon session with Head of the Presidential Apparat Ramiz Mehdiyev to discuss the Vice President's proposed visit to Azerbaijan in early September and gather official Baku's latest thoughts on the October 15 presidential election and the media environment. Accompanying Mehdiyev were Presidential advisors Ali Hasanov, Elnur Aslanov, Fuad Aleskerov and Novruz Mammedov; DCM and PolEcon Chief accompanied the Ambassador. (Note: Ambassador's meeting at the Presidential Apparat took place before the Georgia-Russia conflict escalated.)

Visit of the Vice President

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¶3. (C) The Ambassador thanked Mehdiyev and his staff for a highly successful visit by the OVP pre-advance team, August 3-5. Ambassador emphasized the historic significance for Azerbaijan of a visit of this magnitude, and said that meetings between the Vice President and President Aliyev offered an excellent opportunity for both countries. Mehdiyev agreed that the visit is very important for Azerbaijan and noted that both sides have declared publicly intentions of friendly relations.

Pressing Azerbaijan on the Elections

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¶4. (C) Ambassador noted that President Aliyev and the GOAJ have expressed a goal of free and fair presidential elections in October, and that the United States shares with Azerbaijan that goal. Referring to President Aliyev's August 5 statement to the Cabinet of Ministers (ref A), Ambassador added that the United States, in conjunction with European partners, will be objective in the evaluation of the election. The international community, the Ambassador said,

is eagerly waiting to see how Azerbaijan's new law on freedom of assembly will be implemented. This is especially important, she said, as the pre-election environment in Azerbaijan has been criticized. The Ambassador also encouraged Azerbaijan's leadership to prepare a plan to allow for peaceful demonstrations and prevent violence in the aftermath of the election. She reminded Mehdiyev that the USG has worked with Azerbaijan's police and security forces on public order management to avoid violent escalations.

¶15. (C) Mehdiyev suggested that elections in Azerbaijan are gradually getting better, and confirmed that OSCE monitors will be invited to observe the presidential contest in October. Nonetheless, he complained that, despite improvements, international assessments unfairly remain the same. Reciting points from the President's recent speech, Mehdiyev said that conditions for the ruling party and opposition groups should be the same: posters around the country of President Aliyev should be removed, sites should be identified for campaign events, candidates should receive equal time on television, and election committees in the precincts should include "one or two" positions for members of the opposition.

¶16. (C) President Aliyev, Mehdiyev said, is very popular in the country, and therefore Azerbaijan's ruling party has nothing to fear from free and fair elections. Still, Mehdiyev said, stability is important in Azerbaijan. "We have learned lessons from Georgia and Armenia." The opposition, he said, may try to provoke law enforcement after the elections, and are sure to distribute "false information" to embassies before the vote. The Ambassador noted that "this is all the more reason to invite international

observers, including the European Network of Election Monitoring Organizations (ENEMO), and to allow domestic groups like the Election Monitoring Center (EMC) to function without interference.

#### Obsession with A/S Kramer's Testimony

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¶17. (C) Mehdiyev, during the course of the conversation with the Ambassador, repeatedly raised the issue of DRL Assistant Secretary David Kramer's recent Washington testimony before the Helsinki Commission. In particular, Mehdiyev, with support from his staff, grumbled about the case of the jailed former Minister Farhad Aliyev, raised repeatedly at the hearings. "David Kramer mentioned corruption in his testimony, but when Azerbaijan convicts a former minister of corruption the American Congress complains," Mehdiyev said. Ambassador noted that Congressmen had raised the case of Farhad Aliyev, not A/S Kramer, and that A/S Kramer's testimony had been balanced and fair, with discussion of Azerbaijan's need for judicial reform.

#### Media Environment

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¶18. (C) Ambassador said that the GOAJ's decision to allow journalist Aqil Khalil to leave the country (ref b), though difficult internally, sent an important message to the international community. Ambassador praised a proposal, now under discussion within the Presidential Apparatus, for President Aliyev to meet with newspaper editors, and called for Azerbaijan to release three additional jailed journalists ahead of presidential elections and for the President to release a statement condemning violence against journalists.

¶19. (C) Mehdiyev, turning once again to A/S Kramer's testimony, said that USG statements about media freedom in Azerbaijan are incorrect. "Anyone can write anything in any newspaper." Mehdiyev said that those journalists convicted of libel had already been pardoned, and remaining journalists in jail were convicted of other crimes. Repeating President Aliyev's line, Mehdiyev said that there are still "many, many publications" in Azerbaijan, and claimed that relatively few journalists are prosecuted, despite many complaints.

¶10. (C) Ambassador noted a gap in thinking on this issue between Azerbaijan's leadership and Western observers. In the West "we recognize that the media sector is developing and the process takes time, but the impression is that it is not free," the Ambassador said. She added that the burden is on authorities to create the environment free from intimidation. Responding to Mehdiyev's request for examples, Ambassador stated:

-- journalists have been attacked, and the government has not sent an adequate message to state that this behavior is unacceptable;

-- popular newspapers have been shut down, with government agencies citing "fire code violations" and other regulatory excuses;

-- dubious court cases have been brought against journalists and editors;

-- there is controlled content on television, with government advertising directed towards those entities that conform; and

-- libel remains a criminal offense, even though there has been a voluntary restraint on new cases.

¶11. (C) Presidential adviser Hasanov responded with sharp disagreement, but noted that Azerbaijan is considering decriminalization of libel in 2011 or 2012. Azerbaijan will try to do this, he said, even though "these laws are still commonly on the books in much of Europe."

Nagorno-Karabakh

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¶12. (C) Turning to Nagorno-Karabakh, Mehdiyev made a strong appeal for greater U.S. involvement. Azerbaijan, he said, does not agree with a negotiating approach that says "the two parties should agree and the co-chairs will accept whatever they agree." You would not see any other case in the world where an occupied country is asked to negotiate the loss of its lands with the occupier. The U.S. is Azerbaijan's friend

and the world's leading power. Our people ask -- "why is the U.S. not demanding the aggressor leave our lands? Because of several million Armenian voters!"

¶13. (C) Mehdiyev emphasized that "we should tolerate the violation of 9 million Azeris' rights." Azerbaijan is using its resources to help the U.S. "If we are true friends we would like to see a clearer demonstration of this friendly attitude on all issues. We should support and help each other. We are ready for that and we wait some demonstration from the U.S." Mehdiyev re-emphasized that Azerbaijan and the United States have major mutual interests, and should "make this friendship stronger" and ensure that "Russia, Iran, Turkey and Armenia see it." All the international community should see, he said, that Azerbaijan is a reliable friend of the U.S. and is "doing all it can," and that the U.S. is on Azerbaijan's side as a reliable friend.

New Embassy Property

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¶14. (C) The Ambassador appealed to Mehdiyev to facilitate and expedite U.S. efforts to construct a new embassy compound in Baku. Providing background, the Ambassador said that the embassy had delivered a letter on July 28 to Presidential Assistant Ali Assadov, following up the GOAJ's decision in March to sign a property lease. Since that time, however, the Presidential Apparatus had wrestled with the question of the need for parliament to ratify the lease, with the President and others clearly stating a preference for avoiding a vote in the legislature. The U.S. side has proposed a 99-year lease, with a renewal clause, and a lump-sum payment. This arrangement, the Ambassador explained, is made possible through a 1999 agreement, signed

by the former Foreign Minister and reviewed at that time by parliament. Mehdiyev, in response, noted that President Aliyev has given orders to proceed on this issue and said that he would meet with Ali Asadov to clarify issues and "find out what the delay is."

Comment

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¶15. (C) Mehdiyev, in spite of the welcome news about the visit of the Vice President, was intent on reading his long list of complaints regarding the Helsinki Commission testimony of DRL A/S Kramer. Other senior officials in the President's office have praised Kramer's statement as balanced and thoughtful. Mehdiyev has had a consistently negative view of the United States since the March UN General Assembly vote on Nagorno-Karabakh. Given his unreasonable expectations about a change in U.S. policy on Nagorno-Karabakh, he is likely to continue to be critical of the United States.

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